C: CMC Trish Gomer Lilia

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CITY OF MIAMI BEACH OFFICE OF THE MAYOR & COMMISSION

MEMORANDUM

TO:

JORGE M. GONZALEZ

CITY MANAGER

FROM:

JOSE SMITH

COMMISSIONER

DATE:

November 12, 2004

RE:

AUTOMATED EXTERNAL DEFIBRILLATORS

I would like to refer to the Finance and Citywide Projects Committee as well as the Land Use a discussion regarding automated external defibrillators (AED's). An AED is a computerized medical device that can check a person's heart rhythm. It can recognize a rhythm that requires a shock and can advise the rescuer when a shock is needed. The AED uses voice prompts, lights and text messages to tell the rescuer exactly what steps to take. These devices have proven to be extremely effective and are relatively inexpensive.

According to the American Heart Association, every year 460,000 deaths arise in the United States from sudden cardiac arrest. Sudden cardiac arrest (SCA) occurs when the lower chambers of the heart (the ventricles) suddenly stop beating normally and develop ventricular fibrillation (VF). A defibrillator is the only known device/technique that allows the heart to re-pace itself to a normal rhythm. Utilizing a defibrillator increases the odds of survival from 5% with just CPR to as much as 80% if a Defibrillator is placed on the patient within a few minutes of Sudden Cardiac Arrest.

The American Heart Association strongly encourages all EMS first response vehicles and ambulances be equipped with an AED or other defibrillation device. They also support placing AED's in heavily populated public areas such as restaurants, shopping malls, office buildings. Many municipalities have enacted ordinances requiring that AED's be placed in large buildings. I am attaching ordinances from Weston and Coral Springs. I believe it is imperative that the City of Miami Beach take similar steps to ensure the safety of our residents and tourists.

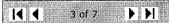
Agenda Item <u>CYB</u>

Date 12-8-04

I would like the City Administration along with the City Attorney's office to draft an ordinance similar to the ones passed in Weston and Coral Springs to be presented at a joint meeting of the Finance Committee and the Land Use Committee.

Thank you.

JS/els



ORDINANCE NO. 2004-125

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA, AMENDING CHAPTER 7 ENTITLED "FIRE PREVENTION CODE" BY CREATING ARTICLE XXII ENTITLED "LIFE SAFETY"; TO PROVIDE FOR AUTOMATED EXTERNAL DEFIBRILLATORS, INCLUDING PROVIDING A **DEFINITION FOR AUTOMATED EXTERNAL** DEFIBRILLATORS, REQUIRING AUTOMATED EXTERNAL DEFIBRILLATORS IN CERTAIN BUILDINGS; PROVIDING FOR INSTALLATION AND **OPERATION: PROVIDING FOR INSPECTION AND** PERMIT FEES FOR THE INSTALLATION AND PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City's existing Code for regulating the health, safety, and general welfare does not recognize that there are devices that may be desirable to provide emergency medical treatment to City residents at certain buildings; and

WHEREAS, it is in the best interest of the citizens of Coral Springs that the following requirements to the regulations governing the general welfare of City residents be adopted.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL SPRINGS, FLORIDA:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2. Chapter 7 of the Code of Ordinances of the City of Coral Springs shall be amended to read as follows:

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Article XXII Life Safety

Sec. 7-201. Automated External Defibrillators

(1) Definition of Automated External Defibrillators

AUTOMATED EXTERNAL DEFIBRILLATOR DEVICE. A defibrillator device that 1) is commercially distributed in accordance with the Federal Food, Drug, and Cosmetic Act, 2) is capable of recognizing the presence or absence of ventricular fibrillation, and is capable of determining without intervention by the user of the device whether defibrillation should be performed, and 3) upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

- (2) <u>Intent</u>
 - (A) It is the intent of the City and the purpose of this Chapter:
- 1. To promote the public health, safety, and general welfare by requiring the installation of Automated External Defibrillator devices within certain buildings in the City:
- 2. To provide for the inspection of each Automated External Defibrillator device within the City; and
 - 3. To provide for the payment of Automated External Defibrillator inspection fees.
- (3) Automated External Defibrillator Devices Required
- (A) <u>Automated External Defibrillator devices shall be installed in the following buildings located within the geographical boundaries of the City:</u>
- 1. Gymnasiums, fitness centers and indoor recreational centers in excess of 1,500 feet;
 - 2. Restaurants with 100 or more seats including indoor, outdoor and bar;
 - 3. All hotels and motels.
- 4. <u>Assisted Living Facilities as defined by Section 400.402, Florida Statute as amended from time to time.</u>
- (4) Installation and Operation
- (A) The City shall inspect all Automated External Defibrillator devices for operation prior to being placed in service or available for use, and on an annual basis.
 - (B) Automated External Defibrillator devices shall be:

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- (1) Conspicuously located in plain view of the primary public entrance, with unobstructed access;
- (2) <u>Housed in a cabinet with a clear window in the door, an audible alarm</u> signaling the opening of a door, permanently affixed to a wall, and whose top is no more than forty-eight inches above the floor;
- (3) <u>Located below a sign having a minimum area of seventy square inches and containing the letters "AED" and the universally recognizable symbol, which shall be placed no more than sixty inches, on center, above the floor;</u>
- (4) <u>Readily accessible and immediately available when needed for on-site</u> employees and the general public, including disabled persons; and
- (5) <u>Placed near the elevator(s)</u> in the first floor lobby, if the building contains an elevator.
- (C) <u>Automated External Defibrillator devices shall contain adult and pediatric pads and</u> bandage scissors.
- (D) <u>All Automated External Defibrillator devices shall be used in accordance with the</u> manufacturer's guidelines.
 - (E) It shall be the responsibility of the owner of the building to:
 - (1) Install Automated External Defibrillator devices.
 - (2) Provide all necessary training for appropriate use;
- (3) <u>Maintain Automated External Defibrillator devices in accordance with</u> manufacturer's recommended maintenance requirements and as required herein.
- (F) If an Automated External Defibrillator device is removed for repair, a replacement shall be provided.
- (5) Fees

Fees for Automated External Defibrillator device permits and inspections shall be set by Resolution.

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(6) Penalties

It shall constitute a violation of the City Code, punishable as provided in §1-8.1, to intentionally or willfully:

- (A) Render an Automated External Defibrillator device inoperative except during such time as the Automated External Defibrillator device is being serviced, tested, repaired, or recharged, except pursuant to court order;
- (B) Obliterate the serial number on an Automated External Defibrillator device for purposes of falsifying service records;
- (C) <u>Improperly service</u>, recharge, repair, test, or inspect an Automated External Defibrillator device;
 - 1. Use the inspection certificate of another person; or
- 2. <u>Hold an inspection certificate and allow another person to use said inspection</u> certificate number.

(7) Applicability

The owner of any existing building required to have an Automated External Defibrillator device shall comply with this section within 180 days of the effective date of this Ordinance. After the effective date of this ordinance, the owner of any new building constructed required to have an Automated External Defibrillator device shall comply with this section.

Section 3. Conflicts.

That all Ordinances or parts of Ordinances, Resolutions or parts thereof in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 4. Codification.

It is the intention of the City Commission of the City of Coral Springs, that the provisions of this Ordinance shall become and made a part of the Charter of the City of Coral Springs, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article" or other word or phrase in order to accomplish such intention.

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Section 5. Severability.

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 6. Effective Date.

This Ordinance shall become	effective upon adoption by	the City Commission. This
Ordinance shall automatically "sunse	et" one year from the effecti	ive date of same.
PUBLISHED the day of		, 2004.
PASSED FIRST READING the	day of	, 2004.
PASSED SECOND READING the	day of	, 2004.
	CITY OF CORAL	SPRINGS FLORIDA
ATTEST:	RHON ERNEST-J	ONES, MAYOR
PETER M.J. RICHARDSON, CRM	, CITY CLERK	
Unanimous Motion/2nd Mayor Ernest-Jones Commissioner Brook Commissioner Calhoun Commissioner Gold Commissioner Money	Yes No	

ORDINANCE NO. 2004-10

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WESTON, FLORIDA, AMENDING CHAPTER 12, "DEFINITIONS," OF THE CODE OF ORDINANCES TO CREATE A DEFINITION FOR "AUTOMATED EXTERNAL DEFIBRILLATORS"; BY CREATING CHAPTER 101, "AUTOMATED EXTERNAL DEFIBRILLATORS," TO REQUIRE AUTOMATED EXTERNAL DEFIBRILLATORS AT CERTAIN BUILDINGS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City's existing Code for regulating the health, safety, and general welfare does not recognize that there are devices that may be desirable to provide emergency medical treatment to City residents at certain buildings; and

WHEREAS, the City has received a number of requests to require Automated External Defibrillator devices at certain buildings to provide emergency services for City residents that may need assistance for cardiac arrest; and

WHEREAS, it is in the best interest of the citizens of Weston that the following requirements to the regulations governing the general welfare of City residents be adopted.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Weston, Florida:

Section 1. The foregoing Whereas clauses are ratified and incorporated as the legislative intent and factual findings underlying this Ordinance.

Section 2. Amendment to Chapter 12.

Chapter 12, "Definitions" of the Code of Ordinances of the City of Weston is amended by creating a new term to read as follows:

AUTOMATED EXTERNAL DEFIBRILLATOR DEVICE. A defibrillator device that 1) is commercially distributed in accordance with the Federal Food, Drug, and Cosmetic Act, 2) is capable of recognizing the presence or absence of ventricular fibrillation, and is capable of determining without intervention by the user of the device whether defibrillation should be performed, and 3) upon determining that defibrillation should be performed, is able to deliver an electrical shock to an individual.

Section 3. Creation of Chapter 101

Chapter 101, "Automated External Defibrillators" of the Code of Ordinances of the City of Weston is created to read as follows"

Chapter 101: AUTOMATED EXTERNAL DEFIBRILLATORS

Section 101.01 Intent

It is the intent of the City and the purpose of this Chapter:

Coding: <u>underlined</u> words are additions to existing text, struck through words are deletions from existing text, shaded text reflects changes made from First Reading.

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- (A) To promote the public health, safety, and general welfare by requiring the installation of Automated External Defibrillator devices within certain buildings in the City;
- (B) To provide for the inspection of each Automated External Defibrillator device within the City; and
 - (C) To provide for the payment of Automated External Defibrillator inspection fees.

Section 101.02 Automated External Defibrillator Devices Required

Automated External Defibrillator devices shall be installed in the following buildings located within the geographical boundaries of the City:

- (A) Places of public assembly as defined in the Florida Building Code;
- (B) Office buildings in excess of 20,000 square feet;
- (C) Gymnasiums, fitness centers and indoor recreational centers in excess of 1,500 square feet;
 - (D) Restaurants with 100 or more seats including indoor, outdoor and bar;
 - (E) Commercial and retail spaces in excess of 35,000 square feet; and
 - (F) All hotels and motels.

Section 101.03 Installation and Operation

- (A) The City shall inspect all Automated External Defibrillator devices for operation prior to being placed in service or available for use, and on an annual basis.
 - (B) Automated External Defibrillator devices shall be:
- (1) Conspicuously located in plain view of the primary public entrance, with unobstructed access;
- (2) Housed in a cabinet with a clear window in the door, an audible alarm signaling the opening of the door, permanently affixed to a wall, and whose top is no more than forty-eight inches above the floor;
- (3) Located below a sign having a minimum area of seventy square inches and containing the letters "AED" and the universally recognizable "AED" symbol, which shall be placed no more than sixty inches, on center, above the floor;
- (4) Readily accessible and immediately available when needed for on-site employees and the general public, including disabled persons; and
- (5) Placed near the elevator(s) in the first floor lobby, if the building contains an elevator.

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- (C) Automated External Defibrillator devices shall contain adult and pediatric pads and bandage scissors.
- (D) All Automated External Defibrillator devices shall be used in accordance with manufacturer's guidelines.
 - (E) It shall be the responsibility of the owner of the building to:
 - (1) Install Automated External Defibrillator devices;
 - (2) Provide all necessary training for appropriate use; and
- (3) Maintain Automated External Defibrillator devices in accordance with manufacturer's recommended maintenance requirements and as required herein.
- (F) If an Automated External Defibrillator device is removed for repair, a replacement shall be provided.

Section 101.04 Fees

Fees for Automated External Defibrillator device permits and inspections shall be set by Resolution.

Section 101.05 Penalties

- It shall constitute a violation of City Code, punishable as provided in §10.99, to intentionally or willfully:
- (A) Render an Automated External Defibrillator device inoperative except during such time as the Automated External Defibrillator device is being serviced, tested, repaired, or recharged, except pursuant to court order;
- (B) Obliterate the serial number on an Automated External Defibrillator device for purposes of falsifying service records;
- (C) Improperly service, recharge, repair, test, or inspect an Automated External Defibrillator device;
 - (D) Use the inspection certificate of another person; or
- (E) Hold an inspection certificate and allow another person to use said inspection certificate number.

Section 101.06 Applicability

The owner of any existing building required to have an Automated External Defibrillator device shall comply with this section within 180 days of the effective date of this Ordinance. After the effective date of this Ordinance, the owner of any new building constructed required to have an Automated External Defibrillator device shall comply with this section.

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Section 4. Codification.

It is the intention of the City Commission that the provisions of this Ordinance become and be made part of the City Code, and that the Sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section" or such other appropriate word or phrase to accomplish such intentions.

Section 5. Severability.

Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any portion thereof, other than the part so declared to be invalid.

Section 6. Conflict.

That all Sections or parts of Sections of the Code of Ordinances, all Ordinances or parts of Ordinances, and all Resolutions, or parts of Resolutions, in conflict with this ordinance are repealed to the extent of such conflict.

Section 7. Effective Date.

This Ordinance shall become effective upon passage and adoption.

PASSED ON FIRST READING August 16, 2004.

PASSED AND ADOPTED ON SECOND READING September 13, 2004.

CITY COMMISSION CITY OF WESTON, FLORIDA

Eric M. Hersh, Mayor

ATTEST:

Patricia A. Bates, City Clerk

Approved as to form and legality for the use of and reliance by the

City of Weston/only:

Jamie Alan/Cole, City Attorney

Roll Call:

Commissioner Stermer Commissioner Bartleman

Commissioner Chermak

Commissioner Herrera-Hill Mayor Hersh

Yes Yes

Yes

Yes

Yes

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